

**MISCELLANEOUS DOCKET
UNITED STATES DISTRICT COURT**

DOCKET
NO.

M-1561-E

AD

TITLE OF CASE	ATTORNEYS
<p>CENTRAL PENN LIFE INSURANCE COMPANY</p> <p>VS.</p> <p>PROFESSIONAL INVESTORS LIFE INSURANCE COMPANY</p> <p style="text-align: right;">Lee I. Levinson GASAWAY, LEVINSON & BENNETT PO Box 14070 Tulsa, Ok 74104 918/592-5592</p>	<p>For plaintiff: James M. Sturdivant Tim Carney GABLE & GOTWALS 2000 Fourth National Bank Bldg. Tulsa, OK 74119 582-9201</p> <p>For defendant: Thomas E. Prince FERGUSON & PRINCE 641 N.E. 39th St. OKC, OK 73105 (405) 424-0047</p> <p>Rosemary E. Burgher James R. Lieber P.O. Box 2888 Tulsa, OK 74101 627-1320</p>

MEMORANDA	DATE	NAME OR RECEIPT NO.	RECEIVED	DISBURSED
<p>Jack R. Lawrence Loutitia Denison Eason William T. Brett LAWRENCE & ELLIS 600 Union Plaza 3030 Northwest Expressway OKC, OK 73112 (405) 948-6000 (Attys for Conservator)</p> <p style="text-align: center;"><u>ADD'L ATTORNEYS ON NEXT PAGE</u></p>	10/16/89	#53539	20 00	

DATE	PROCEEDINGS	Date Order or Judgment Noted
<p>1989 10-16</p>	<p>CERTIFICATION of Judgment for Registration in Another District from United States District Court for the Southern District of Ohio - Western Division, that CPLIC recover from PILIC the sum of \$600,000.00 and that CPLIC & PILIC equally and severally own all claims against agents to recover the \$1,200,000.00 in advances made to the agents. (Walter R. Rice, US DJ- entered 9/11/89) hc</p>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to WestStar Bank. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to Sooner Federal Savings & Loan Assoc. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to Local America Bank of Tulsa. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to First National Bank of Tulsa. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to Bank of Oklahoma. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to F&M Bank. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to State Fed. Savings & Loan. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to First City Bank. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to Western National Bank. dt S/I	
10-20	GARNISHMENT affidavit in amt of \$600,000 issued to Kidder & Peabody. dt	
10-23	ANSWER of garnishee, F&M Bank & Trust Co., amt -0-. dt	
10-23	APPLICATION of Central Penn Life Ins. for order to debt to appear & disclose property & for order prohibiting debt from encumbering, concealing or alien property. (O/Mag Wagner) dt	
10-25	CLAIM of debt for exemption & req for hrng. dt (DS/J)	
10-25	MOTION of debt to dismiss and, alter, stay all jdgmt enforcement proceedings & brief in support. dt (DS/J)	
10-25	EXHIBITS to mo of debt to dismiss. dt	
10-24	RETURNS (9) on garnishee summons; served all garnishment affidavits filed on 10-20-89 <u>except</u> affidavit addressed to Kidder & Peabody. dt	
10-24	ANSWER of garnishee Local America Bank; amt -0-. dt	
10-24	ANSWER of garnishee Sooner Federal S&L; amt -0-. dt	
10-24	ANSWER of garnishee Western National Bank; amt -0-. dt	
10-24	ANSWER of garnishee Bank of Oklahoma; amt -0-. dt	
10-26	ANSWER of garnishee First City Bank, N.A.; amt -0- dt	

ELLISON

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. M-1561-E
CENTRAL PENN LIFE INS. CO.		PROFESSIONAL INVESTORS LIFE	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
------	-----	-------------

ATTORNEYS:

Jeff L. Hartmann
Shdeed & Hartman
4308 N. Classen Blvd.
OKC, OK 73118
(Oklahoma Life & Health
Ins. Guaranty Assoc.)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. M-1561-E
CENTRAL PENN LIFE INS. CO.		PROFESSIONAL INVESTORS	PAGE 3 OF 2 PAGES
DATE	NR.	PROCEEDINGS	
1989			
10-26	Min	Memo to Mag re referral of claim of debt for exemp & req for hrng & mo/deft to dismiss & alter, stay jdgmt enforcement proceedings; to be heard w/app for order to appear & disclose property. (JOE-J) dt	
10-27		ANSWER of garnishee, WestStar Bank, N.A.; amt. -0-. dt	
10-27		ORDER to appear & answer as to assets & forbidding transfer or other disp of property; debtor to appear before Mag Wagner on 11-15-89, 9:00 a.m. (JLW-Mag) c/m dt	
10-27		ORDERED that claim of debt for exemp & req for hrng & mo/deft to dismiss & alter, stay jdgmt proceedings is to be heard at asset hrng set for 11-15-89, 9:00 a.m. (JCS-CLK) c/m dt	
10-30		ANSWER of garnishee, FNB of Tulsa; amt \$600,000.00. dt	
11-1		APPLICATION of debt for emergency mod of order to appear & answer as to assets as to forbidding transfer or other disp of property.dt	
11-1		ORDER that FDIC's app is sustained & order to appear as to assets & forbidding transfer is amended to allow debt to transfer & dispose of property as in ordinary course of business pending hrng on assets & continue on-going operations. (JLW-MAG) dt c/mvt	
11-6		ANSWER of garnishee, Kidder, Peabody & Co.; amt \$600,000. dt	
11-6		BRIEF of Central Penn Life Ins. Co. in oppo to debt's claim for exemption & mo/dismiss & alter, stay all jdgmt enforcement proceedings. (loose in file) dt (DS/Mag)	
11-6		APPENDIX to above brief. (loose in file) dt	
11-13		ENTRY of appearance of Lee I. Levinson as atty for debt. ag	
11-13	MIN	TELEPHONE CONF held w/Mag. Wagner w/re to request to reset hrg on 11-14-89. Denied, hrg will be hld as set. (JLW-MAG)j sm recorder	
11-13		APPLICATION of debt for cont. hrg. on mo/to dismiss &, Alternatively stay all jmn't enforcement proceedings, claim for exe. & Hrg. on assetts. ag (OtoMag)	
11-14	MIN	HRG HELD before Mag. Wagner on Defts claim/exemp & debts mot/dism or to stay are denied. Hrg on assets continued by agreed, pending ruling by motions fr ct, ord cont filed in open ct. Ct recommends that disbursement of funds <u>instanter</u> . Defts allowed to suppl record on appeal w/affidavit. (JLW-MAG)j tape 1181	
11-14		APPLICATION debts to continue hearing on assets.jc(OtoMAG)	
11-14		ORDER CONTINUING asset hrg. (JLW-MAG)j	
11-22		REPORT & recomm of US Mag that debt's mo/dismiss or alter, stay jdgmt proceedings be denied; recommend that ct consider imposing sanctions agnst counsel for Professional Investors. (JLW-Mag) c/m dt	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO M-1561-E
CENTRAL PENN LIFE INS. CO.		PROFESSIONAL INVESTORS LIFE	PAGE <u>4</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1989</u>			
12-4		COMBINED mo of PILIC for stay and, alter, object to R&R of U.S. Mag & brief in support. dt	
12-4		EXHIBITS to above combined mo. dt	
12-4		MOTION to intervene of Gerald Grimes, Ins. Commissioner & for exten of time to object to R&R of U.S. Mag & for stay of prosecution. (O/J) dt	
12-4		BRIEF in support of above mo/intervene. dt	
12-7		ORDER that Conservator has until 12-18-89 to file object to R&R & all further actions are stayed pending further oder of ct. (JOE-J) c/mvt dt	
12-18		SUPPLEMENTAL brief of Gerald Grimes in support of mo/intervene & for stay of prosecution & object to R&R of U.S. Mag. dt	
<u>1990</u>			
1-17		MOTION of pltf for lifting stay & memo in support thereof. (O/cs)dt	
2-1		OBJECTION of PILIC to mo/lifting of stay & memo in support. dt	
2-1		BRIEF of conservator in response to pltf's mo/lifting of stay. dt	
2-1		MOTION of Oklahoma Life & Health Ins. Guaranty Assoc. for lv to file brief as amicus curiae. dt	
2-1		BRIEF in support of above motion of Okla. Life. dt	
2-7		ORDER lifting stay & allowing Central Penn to file brief; due 2-7-90. (JOE-J) c/mvt dt	
2-8		BRIEF of Central Penn Life Ins. Co. in oppo to supple brief of Ins. Commissioner Grimes. dt	
2-20		RESPONSE brief of conservator to pltf's brief in oppo to supple brief of Insurance Commissioner. dt	
3-14		APPLICATION of pltf for lv to file reply. (O/J) dt	
3-21		ORDER granting Central Penn lv to file reply to response brief of Ins. Commissioner Grimes. (JOE-J) c/mvt dt	
3-22		APPLICATION of Rosemary E. Burgher for lv to w/draw as atty for deflt. (O/J) dt	
3-23		REPLY by Central Penn Life Ins. Co. to response brief of Ins. Comm. Grimes. dt	
4-9		ORDER granting Rosemary Burgher's app to w/draw as counsel for deflt PILIC. (JOE-J) c/mvt dt	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>M-1561-E</u>
CENTRAL PENN LIFE INS. CO.	PROFESSIONAL INVESTORS LIFE	PAGE <u>5</u> OF <u>3</u> PAGES

DATE 1990	NR.	PROCEEDINGS
7-2	MO:	SUPPLEMENTAL Bf of Gerald Grimes in supp. of Mot/intervene & for stay of prosec. & obj to R&R of Mag. being noted on dkt sheet as having been fld 12-18-89, but no cpy of such pldg being present in file, co. for Conservator is dir. to provide cps of such pldg by 7-6-90 to Clk of Ct & to Judge's chambers(JOE-J)b n/m -Conserv.
7-9		JOINT app by Central Penn Life Ins. Co. & Pprof. Investors Life Ins. Co. for release of garnished funds. (O/jc) dt
7-9		STIPULATION for dismissal w/prej. (O/J) dt
--	--	COPY of Supplemental Brief in Support of Mot/Intervene and Stay/ Prosecution and Obj. to R & R of Mag. filed by Ins. Comm. for State of Ok as Conserv. for PILIC. cs cpy to AD
7-13		ORDER of dismissal w/prej ENTERED. (JOE-J) c/m dt EOD: 7-13-90
7-13		ORDER authorizing release of proceeds on deposit w/ct clk.(JOE-J) c/m dt c/jc
8-21		PARTIAL release of jdgmt creditor & satisfaction of jdgmt. dt
<u>1992</u> 5-11		CORRECTED PARTIAL release of jdgmt creditor & satisfaction/jdgmt. hc

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	